

REMARKS

Claims 1-39 are pending with claims 9-11 and 16-39 being withdrawn from consideration. Claim 1 being independent. Claims 1-8 and 12-15 were subject to a restriction/election of species requirement. In the Office Action dated January 13, 2005, the Examiner had required Applicant to elect between the various species listed in Claim 15. On April 13, 2005, in accordance with 35 U.S.C. § 121, Applicant elected, with traverse, the species “Benzyloxycarbonyl-L-valyl-N-[1-(2-[5-(3-methylbenzyl)-1,3,4-oxadiazolyl]carbonyl)-2-(S)-methylpropyl]-L-prolinamide”, in Claim 15, without disclaimer of or prejudice to pursuing the non-elected subject matter in this or other applications, for prosecution on the merits, and to which the claims shall be restricted if no generic claim is finally held to be allowable. Applicant also acknowledged that, upon allowance of a generic claim, Applicant would be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided under 37 C.F.R. § 1.141.

In response to the Office Action entitled “Notice of Non-Compliant Amendment Under 37 C.F.R. Section 1.121” dated June 27, 2005, and in further response to the Response filed on April 13, 2005, Applicants respectfully submit that the inadvertent errors with respect to omission of the text of the withdrawn claims have been corrected herein. In particular, the text of withdrawn claims 9-11 and 16-39 has been reproduced herein with each claim having the required appropriate claim identifier.

Accordingly, to be fully responsive under 37 C.F.R. Section 1.121(h), Applicants have provided herewith the required entire “Amendments to the Claims” Section of the Response filed on April 13, 2005. This document provides the full set of pending Claims, Claims 1-39. The document also provides the claim status identifier required for each claim. This set of claims replaces all prior versions and listing of claims in the application.

Applicants respectfully request entry remarks made herein into the file history of the present invention.

CONCLUSION

Applicant submits that the application is in condition for allowance. Favorable reconsideration, withdrawal of the rejections set forth in the above-noted Office Action, and an early Notice of Allowance are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All correspondence should be directed to our address given below.

AUTHORIZATION

The Commissioner is hereby authorized to charge any fees due in connection with this filing to Deposit Account 50-1710 or credit any overpayment to same.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sira', with a large, stylized flourish extending from the end of the signature.

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Dated: July 27, 2005

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